

Comment Letter AL014

AL014

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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

May 7, 2004

Mr. Dan Leavitt
 Attn: California High-Speed Train
 Draft Program EIR/EIS Comments
 925 L Street, Suite 1425
 Sacramento, CA 95814

Dear Mr. Leavitt:

Draft Program Environmental Impact Report/
Draft Environmental Impact Statement for the Proposed California High-Speed Train System

The Metropolitan Water District of Southern California (Metropolitan) has received a copy of the Draft Program Environmental Impact Report/Draft Environmental Impact Statement (Draft Program EIR/EIS) for the proposed California High-Speed Train System (Project). The California High-Speed Train Authority and U.S. Department of Transportation, Federal Highway Administration are acting as co-lead agencies under the California Environmental Quality Act and the National Environmental Policy Act, respectively. The purpose of the high-speed train system is to provide a reliable mode of travel, which links the major metropolitan areas of the state, and delivers predictable and consistent travel times. The system would extend from Sacramento and the San Francisco Bay Area in the north, through the Central Valley, to Los Angeles and San Diego in the south. The Draft Program EIR/EIS addresses the potential environmental impacts of the proposed high-speed train system at a conceptual and planning level and will be used in the selection of preferred corridors. If a decision is made to go forward with the high-speed train system, more detailed project-level environmental studies would be prepared in the future. Metropolitan is providing comments on this Draft Program EIR/EIS as a potentially affected public agency.

Metropolitan is the primary wholesale provider of supplemental water to Southern California, providing nearly 60% of the water used by 17 million Southern Californians within our 5,200 square-mile service area. Metropolitan's facilities and related lands provide a necessary public service of transporting, storing, treating, and distributing a water supply. To meet this commitment, Metropolitan has extensive facilities and land holdings in Southern California that may potentially be impacted by the proposed Project.

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Metropolitan is concerned with potential impacts to our existing facilities and property and approved projects that may result from development associated with the proposed Project Alternatives. Although this document is a Program EIR/EIS, Metropolitan requests that the lead agencies consider our facilities in its planning analyses, and that the Final EIR/EIS address any potential impacts to Metropolitan's facilities, property, and future activities that may result from project implementation.

Metropolitan must be allowed to maintain its rights-of-way and access to its facilities and properties at all times in order to repair and maintain the current condition of those facilities. In order to avoid potential conflicts with Metropolitan's rights-of-way, we request that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval. Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan's Substructures Information Line at (213) 217-6564. We have also enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of The Metropolitan Water District of Southern California," to assist in the preparation of plans that are compatible with Metropolitan's facilities and easements. Please note that all submitted designs or plans must clearly identify Metropolitan's facilities and rights-of-way.

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cont.

Additionally, Metropolitan encourages projects within its service area to include water conservation measures; as such, Metropolitan recommends the proposed Project and any ancillary facilities or structures include water conservation measures. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports mitigation measures such as using water efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the Plan.

We appreciate the opportunity to provide input to your planning process and we look forward to receiving a copy of the Final EIS/EIR for this project. If we can be of further assistance, please contact Dr. Marty Meisler of the Environmental Planning Team at (213) 217-6364.

Very truly yours,



Laura J. Simonek
 Manager, Environmental Planning Team

LJM/rdl
 (Public Folder/EPU/Letters/27-APR-04C.doc - California High-Speed Train)
 Enclosure: Planning Guidelines

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700 N. Alameda Street, Los Angeles, California 90012 • Mailing Address: Box 54153, Los Angeles, California 90054-0153 • Telephone (213) 217-6000



U.S. Department
 of Transportation
**Federal Railroad
 Administration**

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Guidelines for Developments in the
Area of Facilities, Fee Properties, and/or Easements
of The Metropolitan Water District of Southern California

1. Introduction

a. The following general guidelines should be followed for the design of proposed facilities and developments in the area of Metropolitan's facilities, fee properties, and/or easements.

b. We require that 3 copies of your tentative and final record maps, grading, paving, street improvement, landscape, storm drain, and utility plans be submitted for our review and written approval as they pertain to Metropolitan's facilities, fee properties and/or easements, prior to the commencement of any construction work.

2. Plans, Parcel and Tract Maps

The following are Metropolitan's requirements for the identification of its facilities, fee properties, and/or easements on your plans, parcel maps and tract maps:

a. Metropolitan's fee properties and/or easements and its pipelines and other facilities must be fully shown and identified as Metropolitan's on all applicable plans.

b. Metropolitan's fee properties and/or easements must be shown and identified as Metropolitan's with the official recording data on all applicable parcel and tract maps.

c. Metropolitan's fee properties and/or easements and existing survey monuments must be dimensionally tied to the parcel or tract boundaries.

d. Metropolitan's records of surveys must be referenced on the parcel and tract maps.

3. Maintenance of Access Along Metropolitan's Rights-of-Way

a. Proposed cut or fill slopes exceeding 10 percent are normally not allowed within Metropolitan's fee properties or easements. This is required to facilitate the use of construction and maintenance equipment, and provide access to its aboveground and belowground facilities.

b. We require that 16-foot-wide commercial-type driveway approaches be constructed on both sides of all streets crossing Metropolitan's rights-of-way. Openings are required in any median island. Access ramps, if necessary, must be at least 16-foot-wide. Grades of ramps are normally not allowed to exceed 10 percent. If the slope of an access ramp must exceed 10 percent due to the topography, the ramp must be paved. We require a 40-foot-long level area on the driveway approach to access ramps where the ramp meets the street. At Metropolitan's fee properties, we may require fences and gates.

c. The terms of Metropolitan's permanent easement deeds normally preclude the building or maintenance of structures of any nature or kind within its easements, to ensure safety and avoid interference with operation and maintenance of Metropolitan's pipelines or other facilities. Metropolitan must have vehicular access along the easements at all times for inspection, patrolling, and for maintenance of the pipelines and other facilities on a routine basis. We require a 20-foot-wide clear zone around all above-ground facilities for this routine access. This clear zone should slope away from our facility on a grade not to exceed 2 percent. We must also have access along the easements with construction equipment. An example of this is shown on Figure 1.

d. The footings of any proposed buildings adjacent to Metropolitan's fee properties and/or easements must not encroach into the fee property or easement or impose additional loading on Metropolitan's pipelines or other facilities therein. A typical situation is shown on Figure 2. Prints of the detail plans of the footings for any building or structure adjacent to the fee property or easement must be submitted for our review and written approval as they pertain to the pipeline or other facilities therein. Also, roof eaves of buildings adjacent to the easement or fee property must not overhang into the fee property or easement area.

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e. Metropolitan's pipelines and other facilities, e.g. structures, manholes, equipment, survey monuments, etc. within its fee properties and/or easements must be protected from damage by the easement holder on Metropolitan's property or the property owner where Metropolitan has an easement, at no expense to Metropolitan. If the facility is a cathodic protection station it shall be located prior to any grading or excavation. The exact location, description and way of protection shall be shown on the related plans for the easement area.

4. Easements on Metropolitan's Property

a. We encourage the use of Metropolitan's fee rights-of-way by governmental agencies for public street and utility purposes, provided that such use does not interfere with Metropolitan's use of the property, the entire width of the property is accepted into the agency's public street system and fair market value is paid for such use of the right-of-way.

b. Please contact the Director of Metropolitan's Right of Way and Land Division, telephone (213) 250-6302, concerning easements for landscaping, street, storm drain, sewer, water or other public facilities proposed within Metropolitan's fee properties. A map and legal description of the requested easements must be submitted. Also, written evidence must be submitted that shows the city or county will accept the easement for the specific purposes into its public system. The grant of the easement will be subject to Metropolitan's rights to use its land for water pipelines and related purposes to the same extent as if such grant had not been made. There will be a charge for the easement. Please note that, if entry is required on the property prior to issuance of the easement, an entry permit must be obtained. There will also be a charge for the entry permit.

5. Landscaping

Metropolitan's landscape guidelines for its fee properties and/or easements are as follows:

a. A green belt may be allowed within Metropolitan's fee property or easement.

b. All landscape plans shall show the location and size of Metropolitan's fee property and/or easement and the location and size of Metropolitan's pipeline or other facilities therein.

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c. Absolutely no trees will be allowed within 15 feet of the centerline of Metropolitan's existing or future pipelines and facilities.

d. Deep-rooted trees are prohibited within Metropolitan's fee properties and/or easements. Shallow-rooted trees are the only trees allowed. The shallow-rooted trees will not be permitted any closer than 15 feet from the centerline of the pipeline, and such trees shall not be taller than 25 feet with a root spread no greater than 20 feet in diameter at maturity. Shrubs, bushes, vines, and ground cover are permitted, but larger shrubs and bushes should not be planted directly over our pipeline. Turf is acceptable. We require submittal of landscape plans for Metropolitan's prior review and written approval. (See Figure 3).

e. The landscape plans must contain provisions for Metropolitan's vehicular access at all times along its rights-of-way to its pipelines or facilities therein. Gates capable of accepting Metropolitan's locks are required in any fences across its rights-of-way. Also, any walks or drainage facilities across its access route must be constructed to AASHTO H-20 loading standards.

f. Rights to landscape any of Metropolitan's fee properties must be acquired from its Right of Way and Land Division. Appropriate entry permits must be obtained prior to any entry on its property. There will be a charge for any entry permit or easements required.

6. Fencing

Metropolitan requires that perimeter fencing of its fee properties and facilities be constructed of universal chain link, 6 feet in height and topped with 3 strands of barbed wire angled upward and outward at a 45 degree angle or an approved equal for a total fence height of 7 feet. Suitable substitute fencing may be considered by Metropolitan. (Please see Figure 5 for details).

7. Utilities in Metropolitan's Fee Properties and/or Easements or Adjacent to its Pipeline in Public Streets

Metropolitan's policy for the alignment of utilities permitted within its fee properties and/or easements and street rights-of-way is as follows:

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a. Permanent structures, including catch basins, manholes, power poles, telephone riser boxes, etc., shall not be located within its fee properties and/or easements.

b. We request that permanent utility structures within public streets, in which Metropolitan's facilities are constructed under the Metropolitan Water District Act, be placed as far from our pipeline as possible, but not closer than 5 feet from the outside of our pipeline.

c. The installation of utilities over or under Metropolitan's pipeline(s) must be in accordance with the requirements shown on the enclosed prints of Drawings Nos. C-11632 and C-9547. Whenever possible we request a minimum of one foot clearance between Metropolitan's pipe and your facility. Temporary support of Metropolitan's pipe may also be required at undercrossings of its pipe in an open trench. The temporary support plans must be reviewed and approved by Metropolitan.

d. Lateral utility crossings of Metropolitan's pipelines must be as perpendicular to its pipeline alignment as practical. Prior to any excavation our pipeline shall be located manually and any excavation within two feet of our pipeline must be done by hand. This shall be noted on the appropriate drawings.

e. Utilities constructed longitudinally within Metropolitan's rights-of-way must be located outside the theoretical trench prism for uncovering its pipeline and must be located parallel to and as close to its rights-of-way lines as practical.

f. When piping is jacked or installed in jacked casing or tunnel under Metropolitan's pipe, there must be at least two feet of vertical clearance between the bottom of Metropolitan's pipe and the top of the jacked pipe, jacked casing or tunnel. We also require that detail drawings of the shoring for the jacking or tunneling pits be submitted for our review and approval. Provisions must be made to grout any voids around the exterior of the jacked pipe, jacked casing or tunnel. If the piping is installed in a jacked casing or tunnel the annular space between the piping and the jacked casing or tunnel must be filled with grout.

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g. Overhead electrical and telephone line requirements:

1) Conductor clearances are to conform to the California State Public Utilities Commission, General Order 95, for Overhead Electrical Line Construction or at a greater clearance if required by Metropolitan. Under no circumstances shall clearance be less than 35 feet.

2) A marker must be attached to the power pole showing the ground clearance and line voltage, to help prevent damage to your facilities during maintenance or other work being done in the area.

3) Line clearance over Metropolitan's fee properties and/or easements shall be shown on the drawing to indicate the lowest point of the line under the most adverse conditions including consideration of sag, wind load, temperature change, and support type. We require that overhead lines be located at least 30 feet laterally away from all above-ground structures on the pipelines.

4) When underground electrical conduits, 120 volts or greater, are installed within Metropolitan's fee property and/or easement, the conduits must be incased in a minimum of three inches of red concrete. Where possible, above ground warning signs must also be placed at the right-of-way lines where the conduits enter and exit the right-of-way.

h. The construction of sewerlines in Metropolitan's fee properties and/or easements must conform to the California Department of Health Services Criteria for the Separation of Water Mains and Sanitary Services and the local City or County Health Code Ordinance as it relates to installation of sewers in the vicinity of pressure waterlines. The construction of sewerlines should also conform to these standards in street rights-of-way.

i. Cross sections shall be provided for all pipeline crossings showing Metropolitan's fee property and/or easement limits and the location of our pipeline(s). The exact locations of the crossing pipelines and their elevations shall be marked on as-built drawings for our information.

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j. Potholing of Metropolitan's pipeline is required if the vertical clearance between a utility and Metropolitan's pipeline is indicated on the plan to be one foot or less. If the indicated clearance is between one and two feet, potholing is suggested. Metropolitan will provide a representative to assist others in locating and identifying its pipeline. Two-working days notice is requested.

k. Adequate shoring and bracing is required for the full depth of the trench when the excavation encroaches within the zone shown on Figure 4.

l. The location of utilities within Metropolitan's fee property and/or easement shall be plainly marked to help prevent damage during maintenance or other work done in the area. Detectable tape over buried utilities should be placed a minimum of 12 inches above the utility and shall conform to the following requirements:

1) Water pipeline: A two-inch blue warning tape shall be imprinted with:

"CAUTION BURIED WATER PIPELINE"

2) Gas, oil, or chemical pipeline: A two-inch yellow warning tape shall be imprinted with:

"CAUTION BURIED _____ PIPELINE"

3) Sewer or storm drain pipeline: A two-inch green warning tape shall be imprinted with:

"CAUTION BURIED _____ PIPELINE"

4) Electric, street lighting, or traffic signals conduit: A two-inch red warning tape shall be imprinted with:

"CAUTION BURIED _____ CONDUIT"

5) Telephone, or television conduit: A two-inch orange warning tape shall be imprinted with:

"CAUTION BURIED _____ CONDUIT"

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m. Cathodic Protection requirements:

1) If there is a cathodic protection station for Metropolitan's pipeline in the area of the proposed work, it shall be located prior to any grading or excavation. The exact location, description and manner of protection shall be shown on all applicable plans. Please contact Metropolitan's Corrosion Engineering Section, located at Metropolitan's F. E. Weymouth Softening and Filtration Plant, 700 North Moreno Avenue, La Verne, California 91750, telephone (714) 593-7474, for the locations of Metropolitan's cathodic protection stations.

2) If an induced-current cathodic protection system is to be installed on any pipeline crossing Metropolitan's pipeline, please contact Mr. Wayne E. Risner at (714) 593-7474 or (213) 250-5085. He will review the proposed system and determine if any conflicts will arise with the existing cathodic protection systems installed by Metropolitan.

3) Within Metropolitan's rights-of-way, pipelines and carrier pipes (casings) shall be coated with an approved protective coating to conform to Metropolitan's requirements, and shall be maintained in a neat and orderly condition as directed by Metropolitan. The application and monitoring of cathodic protection on the pipeline and casing shall conform to Title 49 of the Code of Federal Regulations, Part 195.

4) If a steel carrier pipe (casing) is used:

(a) Cathodic protection shall be provided by use of a sacrificial magnesium anode (a sketch showing the cathodic protection details can be provided for the designers information).

(b) The steel carrier pipe shall be protected with a coal tar enamel coating inside and out in accordance with AWWA C203 specification.

n. All trenches shall be excavated to comply with the CAL/OSHA Construction Safety Orders, Article 6, beginning with Sections 1539 through 1547. Trench backfill shall be placed in 8-inch lifts and shall be compacted to 95 percent relative compaction (ASTM D698) across roadways and through protective dikes. Trench backfill elsewhere will be compacted to 90 percent relative compaction (ASTM D698).

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o. Control cables connected with the operation of Metropolitan's system are buried within streets, its fee properties and/or easements. The locations and elevations of these cables shall be shown on the drawings. The drawings shall note that prior to any excavation in the area, the control cables shall be located and measures shall be taken by the contractor to protect the cables in place.

p. Metropolitan is a member of Underground Service Alert (USA). The contractor (excavator) shall contact USA at 1-800-422-4133 (Southern California) at least 48 hours prior to starting any excavation work. The contractor will be liable for any damage to Metropolitan's facilities as a result of the construction.

8. Paramount Right

Facilities constructed within Metropolitan's fee properties and/or easements shall be subject to the paramount right of Metropolitan to use its fee properties and/or easements for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of the facilities from the fee properties and/or easements, such removal and replacement shall be at the expense of the owner of the facility.

9. Modification of Metropolitan's Facilities

When a manhole or other of Metropolitan's facilities must be modified to accommodate your construction or reconstruction, Metropolitan will modify the facilities with its forces. This should be noted on the construction plans. The estimated cost to perform this modification will be given to you and we will require a deposit for this amount before the work is performed. Once the deposit is received, we will schedule the work. Our forces will coordinate the work with your contractor. Our final billing will be based on actual cost incurred, and will include materials, construction, engineering plan review, inspection, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount.

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10. Drainage

a. Residential or commercial development typically increases and concentrates the peak storm water runoff as well as the total yearly storm runoff from an area, thereby increasing the requirements for storm drain facilities downstream of the development. Also, throughout the year water from landscape irrigation, car washing, and other outdoor domestic water uses flows into the storm drainage system resulting in weed abatement, insect infestation, obstructed access and other problems. Therefore, it is Metropolitan's usual practice not to approve plans that show discharge of drainage from developments onto its fee properties and/or easements.

b. If water must be carried across or discharged onto Metropolitan's fee properties and/or easements, Metropolitan will insist that plans for development provide that it be carried by closed conduit or lined open channel approved in writing by Metropolitan. Also the drainage facilities must be maintained by others, e.g., city, county, homeowners association, etc. If the development proposes changes to existing drainage features, then the developer shall make provisions to provide for replacement and these changes must be approved by Metropolitan in writing.

11. Construction Coordination

During construction, Metropolitan's field representative will make periodic inspections. We request that a stipulation be added to the plans or specifications for notification of Mr. _____ of Metropolitan's Operations Services Branch, telephone (213) 250-_____, at least two working days prior to any work in the vicinity of our facilities.

12. Pipeline Loading Restrictions

a. Metropolitan's pipelines and conduits vary in structural strength, and some are not adequate for AASHTO H-20 loading. Therefore, specific loads over the specific sections of pipe or conduit must be reviewed and approved by Metropolitan. However, Metropolitan's pipelines are typically adequate for AASHTO H-20 loading provided that the cover over the pipeline is not less than four feet or the cover is not substantially increased. If the temporary cover over the pipeline during construction is between three and four feet, equipment must be restricted to that which

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imposes loads no greater than AASHTO H-10. If the cover is between two and three feet, equipment must be restricted to that of a Caterpillar D-4 tract-type tractor. If the cover is less than two feet, only hand equipment may be used. Also, if the contractor plans to use any equipment over Metropolitan's pipeline which will impose loads greater than AASHTO H-20, it will be necessary to submit the specifications of such equipment for our review and approval at least one week prior to its use. More restrictive requirements may apply to the loading guideline over the San Diego Pipelines 1 and 2, portions of the Orange County Feeder, and the Colorado River Aqueduct. Please contact us for loading restrictions on all of Metropolitan's pipelines and conduits.

b. The existing cover over the pipeline shall be maintained unless Metropolitan determines that proposed changes do not pose a hazard to the integrity of the pipeline or an impediment to its maintenance.

13. Blasting

a. At least 20 days prior to the start of any drilling for rock excavation blasting, or any blasting, in the vicinity of Metropolitan's facilities, a two-part preliminary conceptual plan shall be submitted to Metropolitan as follows:

b. Part 1 of the conceptual plan shall include a complete summary of proposed transportation, handling, storage, and use of explosions.

c. Part 2 shall include the proposed general concept for blasting, including controlled blasting techniques and controls of noise, fly rock, airblast, and ground vibration.

14. CEQA Requirementsa. When Environmental Documents Have Not Been Prepared

1) Regulations implementing the California Environmental Quality Act (CEQA) require that Metropolitan have an opportunity to consult with the agency or consultants preparing any environmental documentation. We are required to review and consider the environmental effects of the project as shown in the Negative Declaration or Environmental Impact Report (EIR) prepared for your project before committing Metropolitan to approve your request.

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2) In order to ensure compliance with the regulations implementing CEQA where Metropolitan is not the Lead Agency, the following minimum procedures to ensure compliance with the Act have been established:

a) Metropolitan shall be timely advised of any determination that a Categorical Exemption applies to the project. The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

b) Metropolitan is to be consulted during the preparation of the Negative Declaration or EIR.

c) Metropolitan is to review and submit any necessary comments on the Negative Declaration or draft EIR.

d) Metropolitan is to be indemnified for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

b. When Environmental Documents Have Been Prepared

If environmental documents have been prepared for your project, please furnish us a copy for our review and files in a timely manner so that we may have sufficient time to review and comment. The following steps must also be accomplished:

1) The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

2) You must agree to indemnify Metropolitan, its officers, engineers, and agents for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

15. Metropolitan's Plan-Review Cost

a. An engineering review of your proposed facilities and developments and the preparation of a letter response

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giving Metropolitan's comments, requirements and/or approval that will require 8 man-hours or less of effort is typically performed at no cost to the developer, unless a facility must be modified where Metropolitan has superior rights. If an engineering review and letter response requires more than 8 man-hours of effort by Metropolitan to determine if the proposed facility or development is compatible with its facilities, or if modifications to Metropolitan's manhole(s) or other facilities will be required, then all of Metropolitan's costs associated with the project must be paid by the developer, unless the developer has superior rights.

b. A deposit of funds will be required from the developer before Metropolitan can begin its detailed engineering plan review that will exceed 8 hours. The amount of the required deposit will be determined after a cursory review of the plans for the proposed development.

c. Metropolitan's final billing will be based on actual cost incurred, and will include engineering plan review, inspection, materials, construction, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount. Additional deposits may be required if the cost of Metropolitan's review exceeds the amount of the initial deposit.

16. Caution

We advise you that Metropolitan's plan reviews and responses are based upon information available to Metropolitan which was prepared by or on behalf of Metropolitan for general record purposes only. Such information may not be sufficiently detailed or accurate for your purposes. No warranty of any kind, either express or implied, is attached to the information therein conveyed as to its accuracy, and no inference should be drawn from Metropolitan's failure to comment on any aspect of your project. You are therefore cautioned to make such surveys and other field investigations as you may deem prudent to assure yourself that any plans for your project are correct.

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17. Additional Information

Should you require additional information, please contact:

Civil Engineering Substructures Section
Metropolitan Water District
of Southern California
P.O. Box 54153
Los Angeles, California 90054-0153
(213) 217-6000

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